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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 UNITED STATES OF AMERICA,)	CR 12-0678 MMC
)	
15 Plaintiff,)	
)	STIPULATION AND PROPOSED ORDER
16 v.)	REGARDING RESTITUTION
)	
17 DEREK F.C. ELLIOTT,)	
)	
18 Defendant.)	
)	

19
20 The parties appeared for sentencing hearings regarding the defendant on November 6 and 20,
21 2019. Restitution was discussed extensively at both hearings but was not finalized, and a restitution
22 hearing is set for February 19, 2020. However, the parties have been hard at work on the issue of
23 restitution and are now prepared to stipulate, and do stipulate, to the attached restitution schedule. In
24 addition to including all proper restitution regarding Juan Dolio purchases, the attached restitution
25 schedule also includes restitution to victims who purchased Maxim Bungalows products at Cofresi who
26 were not otherwise awarded compensation from Juan Dolio purchases. These restitution awards are
27 included at the end of the attached spreadsheet and include over \$2,000,000 in additional restitution.
28 The overall restitution amount in the attached spreadsheet is \$38,576,401.13. Because the parties have

STIPULATION TO RESTITUTION
CR 12-0678 MMC

1 now stipulated and agreed to restitution in this matter, including the additional Maxim Bungalow awards
2 in accordance with the Court's inquiry on that subject, and that the attached restitution schedule should
3 be ordered by the Court and included in an amended judgment, the parties also stipulate and agree that a
4 further restitution hearing is unnecessary and should therefore be vacated.

5
6 IT IS SO STIPULATED

7
8 DATED: February 14, 2020

DAVID L. ANDERSON
United States Attorney

9
10 _____/s_____
ROBERT DAVID REES
11 LLOYD FARNHAM
Assistant United States Attorneys


12
13 DATED: February 14, 2020

14 _____/s_____
BRETT PARKINSON, ESQ.
15 Counsel for defendant Derek Elliott

16
17 ~~PROPOSED~~ ORDER

18 For the good cause stated above, IT IS HEREBY ORDERED that the judgment in this case shall
19 be amended to impose restitution in the amounts, and to the victims, indicated in the attached restitution
20 schedule, with a total overall restitution award of \$38,576,401.13. The government shall provide an
21 unredacted copy of the attached restitution schedule to U.S. Probation and to the Clerk of the Court to
22 aid in its execution. Accordingly, the restitution hearing currently set for February 19, 2020 in this
23 matter is hereby vacated.

24
25
26 DATED: February 14, 2020


HON. MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE